

United States District Court

District of Massachusetts

UNITED STATES OF AMERICA

V.

KATHLEEN KELLY**JUDGMENT IN A CRIMINAL CASE**(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: 1: 04 CR 10333 - 001 - RCLMelvin Norris, Esq.

Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation of condition(s) I, II and III of the term of supervision.
- ☐ was found in violation of condition(s) _____ after denial of guilt.

Accordingly, the court has adjudicated that the defendant is guilty of the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
I	The defendant shall report to the probation officer as directed by the Court or probation officer.	06/22/05
II	The defendant shall refrain from excessive use of alcohol and shall not possess, use, distribute, or administer any narcotic or other controlled substance.	05/12/05
III	The defendant is to participate in either inpatient or outpatient program for substance abuse as directed by the United States Probation Office.	06/19/05

☐ See continuation page

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: 000-00-7812

Defendant's Date of Birth: 00-00-1967

Defendant's USM No.: 25422-038

Defendant's Residence Address:

Defendant's Mailing Address:

Same as above

10/31/05

Date of Imposition of Judgment

/s/The Honorable Reginald C. Lindsay

Signature of Judicial Officer

Judge, U.S. District Court

Name & Title of Judicial Officer

11/4/05

Date

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DEFENDANT: **KATHLEEN KELLY****PROBATION**The defendant is hereby sentenced to probation for a term of **36** month(s)☒ See continuation page

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

☐

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

☒

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated above).

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Continuation Page - Supervised Release/Probation

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DEFENDANT: KATHLEEN KELLY

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Continuation of Conditions of ☐Supervised Release ☒Probation

The defendant is to participate in either an in-patient or out-patient program for substance abuse treatment as directed by the United States Probation Office, which program may include testing, not to exceed 104 drug tests per year, to determine whether the defendant has reverted to the use of alcohol or drugs. The defendant shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third party payment.

The defendant is to remain at the Emerson House.

Upon completion of the Emerson House, the defendant shall spend at least 6 months in a sober house or other transitional program approved by the U.S. Probation Officer. If the Probation Officer determines the defendant needs more time at the sober house, the Probation Officer shall notify the Court for approval.

The defendant is not to consume alcoholic beverages.

The defendant is to participate in a mental health treatment program as directed by the United States Probation Office. The defendant shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third-party payment.

The defendant is prohibited from entering any establishment that serves alcohol while at the sober house.

Following release from the sober house, the defendant is to work with probation and the sober house to seek a place to live other than with the defendant's father.